



6-25-01

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Express Mail No. EL 803539754 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Petiard et al.

Application No.: 09/849,139

Group Art Unit: 1645

Filed: May 4, 2001

Examiner: TO BE ASSIGNED

For: METHOD OF DETERMINING THE GENETIC
MATERIAL OF COCOA IN FERMENTED OR
ROASTED BEANS AND CHOCOLATE

Attorney Docket No.: 88265-
4022

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application (hereinafter the "Notice") mailed by the U.S. Patent and Trademark Office on June 7, 2001 in connection with the above-captioned application, Applicants submit herewith the following documents:


- (1) Executed Declaration with copy of application;
- (2) Copy of Notice;
- (3) Executed Power of Attorney by Assignee; and
- (4) Executed Assignment with
Assignment Recordation Cover Sheet.

In accordance with the Notice, the surcharge for late filing of the declaration is estimated to be \$130.00. Please charge the required fees to WINSTON & STRAWN Deposit Account No. 501-814. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: _____

6/22/01


Allan A. Fanucci (Reg. No. 30,256)

Enclosures

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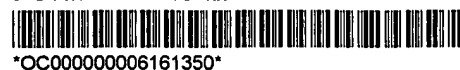
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/849,139	05/04/2001	Vincent Petiard	88265-4022

Allan A. Fanucci
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CONFIRMATION NO. 1875

FORMALITIES LETTER



OC000000006161350

Decl / oath / fee: due 8/7/01

Date Mailed: 06/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/27/2001 HTECKLU1 00000090 501814 09849139

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or

after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE